

**U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Freedom of Information Act
Annual Report for January 1, 1997 through September 30, 1997**

1. Total number of initial denials: **212**
2. Total number of partial denials: **169**
3. Authority under which denials were made:

a. <u>Exemptions Invoked</u>	b. <u>Number of Times Invoked</u>
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2	4
3	3
4	49
5	3
6	100
7a	6
7c	3

c. Statutes invoked pursuant to exemption (b)(3): 7 U.S.C. 2155

d. Number of times 7 U.S.C. 2155 was invoked: 3

e. Other authority:

<u>Reason</u>	<u>Number of Times Invoked</u>
No records	119

4. Names and titles of persons who made initial denials, and number each person made:

<u>Names</u>	<u>Title</u>	<u>Number</u>
Michael S. Marquis	FOIA Officer	212

5. Total number of appeals: 13

a. Number of appeals granted in full:	2 (1 of which was pending in CY 96)
b. Number of appeals denied in full:	7 (1 of which was pending in CY 96)
c. Number of appeals denied in part:	3 (2 of which were pending in CY 96)
d. Number of appeals pending:	6 (1 of which was pending in CY 95)

6. Authority under which appeals were denied:

a. <u>Exemption Invoked</u>	b. <u>Number of Times Invoked</u>
4	1
6	6
7a	1
c. Statutes invoked pursuant to exemption (b)(3):	N/A
d. Number of times statutes were invoked:	N/A
e. <u>Other Authority</u>	<u>Number of Times Invoked</u>
No Record	12

7. Names and titles of persons who denied appeals, and number each person made:

<u>Names</u>	<u>Title</u>	<u>Number</u>
Terry L. Medley	Administrator	12

8. Copies of court opinions or orders under subsection (a)(4)(F) of the Act: N/A

9. Copies of agency rules or regulations issued: N/A

10. Amount of fees collected during 1997: \$2786.10

11. Approximate cost of Agency's efforts to administer the Act: \$333,997

12. Copies of internal memoranda or instructions issued by APHIS: None

13. Number of instances in which APHIS took a 10-day extension: N/A

a. N/A

b. N/A

c. N/A

d. N/A

e. N/A

14. Total number of FOIA requests received during the year: 445

15. Number of requests asking for a fee waiver or reduction: 423